

DAC  
#12

PATENT  
ATTY. DOCKET NO. TRAK/02

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant : Smith et al. Art Unit: 2304  
Serial No. : 08/549,380 Examiner: M. Zanelli  
Filed : October 27, 1995  
For : FULLY AUTOMATED VEHICLE DISPATCHING, MONITORING  
AND BILLING

Assistant Commissioner of Patents  
BOX: DAC  
Washington, DC 20231

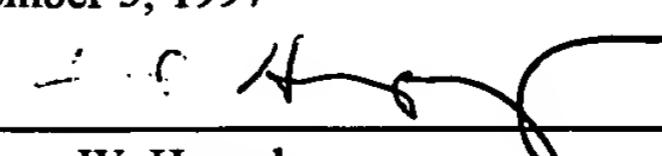
PETITION TO ISSUE PATENT TO ASSIGNEE UNDER 37 C.F.R. §3.81(B)

The issue fee in the above noted application was paid on October 8, 1997. The PTOL-85B was accompanied by Letter Regarding Assignment indicating that an Assignment would be filed in the future for this application.

Copies of the two assignments that were sent for recording on this date are attached hereto. Also attached is an original small entity affidavit executed by Total Technology, Inc.

The Applicant hereby petitions under 37 C.F.R. §3.81(b) that the patent issue in the name of Total Technology, Inc., an Ohio Corporation, located in Cincinnati, Ohio.

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail, postage prepaid in an envelope addressed to: Assistant Commissioner of Patents, Washington, D.C. 20231 on: December 5, 1997

  
Thomas W. Humphrey  
Reg. No. 34,353

Please apply any petition fee, and any charges or credits are necessary to complete this communication, to Deposit Account 23-3000.

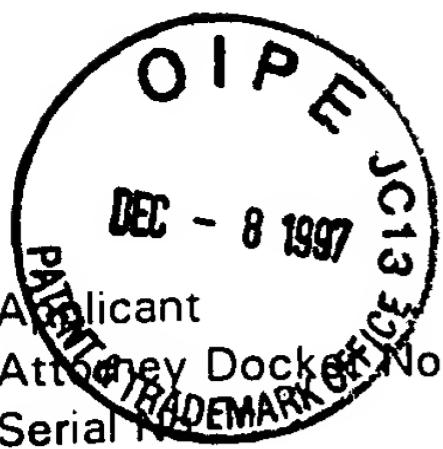
Respectfully submitted,



Thomas W. Humphrey  
Reg. No. 34,353

WOOD, HERRON & EVANS, L.L.P.  
2700 Carew Tower, 441 Vine Street  
Cincinnati, Ohio 45202

Voice: 513/241-2324  
Facsimile: 513/421-7269



Applicant : Chris C. Smith, Kenneth W. Edwards  
Attorney Docket No. : TRAK/02/222  
Serial No. : 08/549,380  
Filed : October 27, 1995  
For : FULLY AUTOMATED VEHICLE DISPATCHING MONITORING AND BILLING

**VERIFIED STATEMENT (DECLARATION) CLAIMING SMALL ENTITY STATUS (37 CFR 1.9(f) and 1.27(c)) - SMALL BUSINESS CONCERN**

I hereby declare that I am an official of the small business concern identified below and am empowered to act on behalf of the concern:

NAME OF CONCERN Total Technology, Inc.

ADDRESS OF CONCERN 607 W. McMicken Avenue, Cincinnati, Ohio 45214

I hereby declare that the above-identified small business concern qualifies as a small business concern as defined in 13 CFR 121.3-18, and reproduced in 37 CFR 1.9(d), for purposes of paying reduced fees under section 41(a) and (b) of Title 35, United States Code, in that the number of employees of the concern, including those of its affiliates, does not exceed 500 persons. For purposes of this statement, (1) the number of employees of the business concern is the average over the previous fiscal year of the concern of the persons employed on a full-time, part-time or temporary basis during each of the pay periods of the fiscal year, and (2) concerns are affiliates of each other when, either directly or indirectly, one concern controls or has the power to control the other, or a third party or parties controls or has the power to control both.

I hereby declare that rights under contract or law have been conveyed to and remain with the small business concern identified above with regard to the invention, entitled FULLY AUTOMATED VEHICLE DISPATCHING MONITORING AND BILLING by inventor(s) Chris C. Smith and Kenneth W. Edwards described in the specification attached hereto.

The above small business concern has not assigned, granted, conveyed or licensed and is under no obligation under contract or law to assign, grant, convey or license, any rights in the invention to any person who could not be classified as an independent inventor under 37 CFR 1.3(c) if that person had made the invention, or to any concern which would not qualify as a small business concern under 37 CFR 1.9(d) or a nonprofit organization under 37 CFR 1.9(a).

No such assignments have been made or are obligated to be made.

I acknowledge the duty to file, in this application or patent, notification of any change in status resulting in loss of entitlement to small entity status prior to paying, or at the time of paying, the earliest of the issue fee or any maintenance fee due after the date on which status as a small entity is no longer appropriate. (37 CFR 1.28 (b))

I hereby declare that all statements made herein of my own knowledge are true and that all statements made on information and belief are believed to be true; and further that these statements were made with the knowledge that willful false statements and the like so made are punishable by fine or imprisonment, or both, under Section 1001 of Title 18 of the United States Code, and that such willful false statements may jeopardize the validity of the application or patent to which this verified statement is directed.

Chris C. Smith

NAME OF PERSON SIGNING

Pres.

TITLE OF PERSON SIGNING

5162 Fairway Oaks Dr. Windermere, FL 34786

ADDRESS OF PERSON SIGNING

Chris C. Smith

SIGNATURE

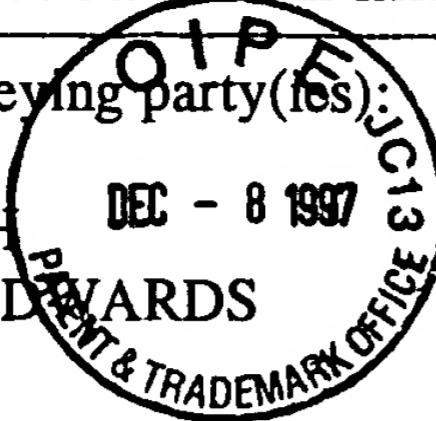
11/26/97

DATE

RECORDATION FORM COVER SHEET  
PATENTS ONLYDepartment of Commerce  
Patent and Trademark Office

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

CHRIS C. SMITH  
KENNETH W. EDWARDS

Additional name(s) of conveying party(ies)

attached?  Yes  No

## 3. Nature of conveyance:

 Assignment  Merger Security Agreement  Change of Name Other \_\_\_\_\_

Execution Date: November 26, 1997

## 4. Application number(s) or patent number(s):

If this document is being filed together with a new application, the execution date of the application is:

## A. Patent Application No.(s)

08/549,380

## B. Patent No.(s)

Additional numbers attached?  Yes  No

## 5. Name and address of party to whom correspondence concerning document should be mailed:

Thomas W. Humphrey, Esq  
Wood, Herron & Evans, L.L.P.  
2700 Carew Tower  
Cincinnati, Ohio 452026. Total number of applications and registrations involved: 17. Total Fee (37 CFR 3.41)-----\$ 40.00 Enclosed Authorized to be charged to deposit account8. Deposit Account Number: 23-3000

(Attach duplicate copy of this page if paying by deposit account)

DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas W. Humphrey

Name of Person Signing

34,353

December 4, 1997

Signature &amp; Reg. No.

Date

Total number of pages comprising cover sheet, attachments, and document: 3

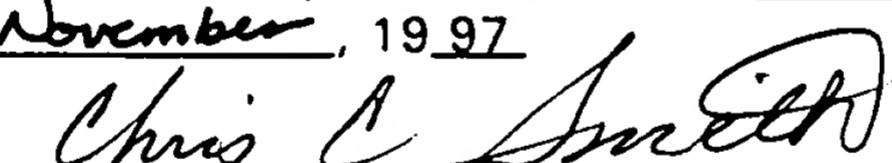
Mail documents to be recorded with required cover sheet information to:

Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

## ASSIGNMENT OF INVENTION AND PATENTS THEREON

For valuable consideration, we, Chris C. Smith, of Edgewood, Kentucky and Kenneth W. Edwards, of Independence, Kentucky hereby assign to, Trak Software, Inc., a corporation under the laws of the State of Ohio, having a principal place of business at 1 Sperti Drive, Covington, KY 41017, its successors and assigns (collectively hereinafter called "the Assignee"), our entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent Serial No. 08/549,380, filed October 27, 1995, entitled **FULLY AUTOMATED VEHICLE DISPATCHING, MONITORING AND BILLING**, this assignment including said application, any continuation, division or continuation-in-part thereof and/or substitute therefor, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and I authorize the Assignee to apply in all countries in my name or in his own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and agree for myself and my heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cincinnati, Ohio,  
this 26<sup>th</sup> day of November, 1997



L.S.

Chris C. Smith

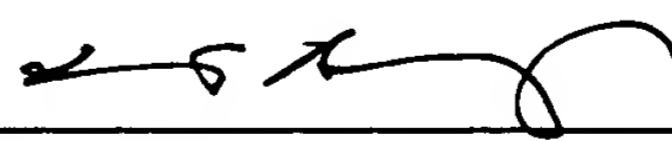
STATE OF Ohio :

:ss.

COUNTY OF Hamilton :

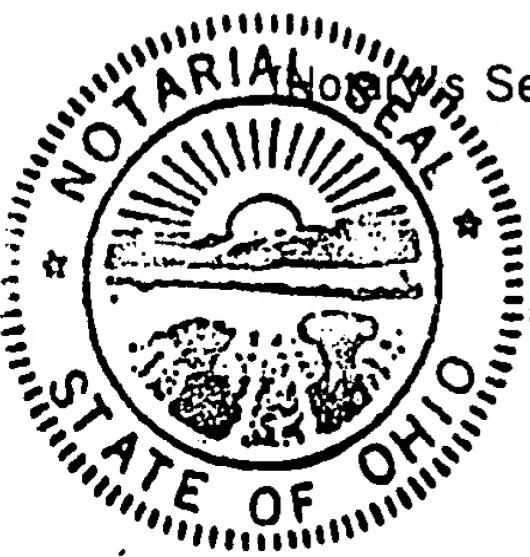
:

Before me this 26<sup>th</sup> day of November, 1997, personally appeared Chris C. Smith known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he executed the same as his free act and deed for the purposes therein contained.



Notary Public

My Commission Expires: NO EXPIRATION DATE



[Notary Seal Here]

THOMAS HUMPHREY, Attorney at Law  
Notary Public, State of Ohio  
My Commission Has No Expiration Date  
Section 147.03

IN WITNESS WHEREOF, I hereto set my hand and seal at \_\_\_\_\_  
this \_\_\_\_\_ day of \_\_\_\_\_, 19 97

Kenneth W. Edwards  
Kenneth W. Edwards

L.S.

STATE OF \_\_\_\_\_ :  
:ss.  
COUNTY OF \_\_\_\_\_ :

Before me this \_\_\_\_\_ day of \_\_\_\_\_, 19 97, personally appeared  
Kenneth W. Edwards known to me to be the person whose name is subscribed to the foregoing  
Assignment and acknowledged that he executed the same as his free act and deed for the purposes  
therein contained.

\_\_\_\_\_  
Notary Public

My Commission Expires:

[Notary's Seal Here]

To the Honorable Commissioner of Patents and Trademarks: Please record the attached original documents or copy thereof.

## 1. Name of conveying party(ies):

TRAK SOFTWARE, INC.

Additional name(s) of conveying party(ies)

attached?  Yes  No

## 3. Nature of conveyance:

 Assignment  Merger Security Agreement  Change of Name Other \_\_\_\_\_

Execution Date: November 26, 1997

## 4. Application number(s) or patent number(s):

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## A. Patent Application No.(s)

08/549,380

## B. Patent No.(s)

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Thomas W. Humphrey, Esq  
 Wood, Herron & Evans, L.L.P.  
 2700 Carew Tower  
 Cincinnati, Ohio 45202

6. Total number of applications and registrations involved: 17. Total Fee (37 CFR 3.41)-----\$ 40.00 Enclosed Authorized to be charged to deposit account

8. Deposit Account Number: 23-3000

(Attach duplicate copy of this page if paying by deposit account)

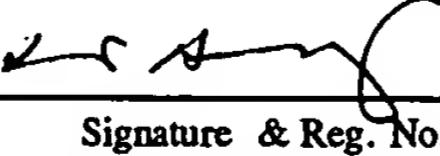
DO NOT USE THIS SPACE

## 9. Statement and signature.

To the best of my knowledge and belief, the foregoing information is true and correct and any attached copy is a true copy of the original document.

Thomas W. Humphrey

Name of Person Signing



34.353

December 4, 1997

Date

Total number of pages comprising cover sheet, attachments, and document: 3

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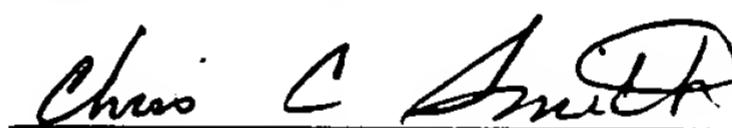
Commissioner of Patents and Trademarks, Box Assignments, Washington, D.C. 20231

## ASSIGNMENT OF INVENTION AND PATENTS THEREON

For valuable consideration, Trak Software, Inc., a corporation under the laws of the State of Ohio, having a principal place of business at 1 Sperti Drive, Covington, KY 41017 (hereinafter called "the Assignor") hereby assigns to, Total Technology, Inc., a corporation under the laws of the State of Ohio, having a principal place of business at 607 W. McMicken Avenue, Cincinnati, Ohio 45214, and its successors and assigns (collectively hereinafter called "the Assignee"), the entire right, title and interest throughout the world in the inventions and improvements which are subject of an application for United States Patent Serial No. 08/549,380, filed October 27, 1995, entitled FULLY AUTOMATED VEHICLE DISPATCHING, MONITORING AND BILLING, this assignment including said application, any continuation, division or continuation-in-part thereof and/or substitute therefor, any and all United States and foreign patents, utility models, and design registrations granted for any of said inventions or improvements, and the right to claim priority based on the filing date of said application under the International Convention for the Protection of Industrial Property, the Patent Cooperation Treaty, the European Patent Convention, and all other treaties of like purposes; and Assignor authorizes the Assignee to apply in all countries in Assignor's name or in Assignee's own name for patents, utility models, and design registrations and like rights of exclusion and for inventors' certificates for said inventions and improvements; and Assignor agrees for itself and its heirs, legal representatives and assigns, without further compensation to perform such lawful acts and to sign such further applications, assignments, Preliminary Statements and other lawful documents as the Assignee may reasonably request to effectuate fully this assignment.

IN WITNESS WHEREOF, I hereto set my hand and seal at Cincinnati, Ohio, this 26<sup>th</sup> day of November, 1997

Trak Software, Inc.



L.S.

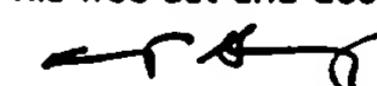
By: Chris C. Smith  
President

STATE OF Ohio :

:ss.

COUNTY OF Hamilton :

Before me this 26<sup>th</sup> day of November, 1997, personally appeared Chris C. Smith known to me to be the person whose name is subscribed to the foregoing Assignment and acknowledged that he is authorized to execute the foregoing Assignment on behalf of the Assignor, and that executed the same as his free act and deed for the purposes therein contained.



Notary Public

My Commission Expires: NO EXPIRATION DATE

